

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

DINO LOCASTRO,

Plaintiff,

13cv0168

ELECTRONICALLY FILED

v.

CANNERY CASINO RESORTS, LLC
trading and doing business as THE
MEADOWLANDS RACETRACK AND
CASINO,

Defendant.

Order re: Motion to Dismiss (doc. no. 9)

AND NOW, this 23rd day of April, 2013, for the reasons set forth in the contemporaneously filed Memorandum Opinion, IT IS HEREBY ORDERED THAT Defendant's Motion to Dismiss (doc. no. 9) is GRANTED IN PART and DENIED IN PART. Counts II and III of Plaintiff's Complaint (doc. no. 1) are DISMISSED with PREJUDICE. Plaintiff's request for monetary damages under Count I is STRICKEN. All other requested relief is DENIED without prejudice to raise those issues at a later stage in the litigation.

/s/ Arthur J. Schwab
Arthur J. Schwab
United States District Judge

cc: All ECF counsel of Record